

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
ANNA F. TYRIKOS) CASE NO. 07-20792-jpk
) Chapter 13
Debtor.)

ORDER REGARDING AGREED MATERIAL
MODIFICATION OF PLAN ("MODIFICATION")

The Modification, filed on April 28, 2008, utilizes what is, in the Court's opinion, an incomprehensible form. The document is formatted to some extent as a "drop dead" procedural notice, somewhat akin to the provisions of N.D.Ind.L.B.R. B-2002-2. However, the form is utilized in such a manner that its service is effected before the Court has authorized the utilization of the procedure provided for by the form. Additionally, the form does not provide a separate order by which the modification may be approved by the Court subsequent to the Court's approval of the use of the form of the notice. Finally, N.D.Ind.L.B.R. B-2002-2(a) (12) specifically provides for the utilization of that Rule with respect to modifications to confirmed Chapter 13 plans.

As a result of the foregoing, the Court does not deem a notice of the Modification to have been properly given, due to the failure to utilize the form of notice provided by N.D.Ind.L.B.R. B-2002-2(c). Because the Modification was signed by the Trustee and by the counsel for the debtor, that document may serve as the proposed modification itself. Thus, in order for the Court to review the Modification, the procedures of Rule 2002-2 should be followed with respect to the Modification as the document with respect to which approval of the Court is sought.

IT IS ORDERED that the Court will take no action with respect to the Modification until notice has been provided with respect to it in the manner required by N.D.Ind.L.B.R. B-2002-2(a)(12)/(c).

Dated at Hammond, Indiana on June 5, 2008.

/s/ J. Philip Klingeberger
J. Philip Klingeberger, Judge
United States Bankruptcy Court

Distribution:
Debtor, Attorney for Debtor, Trustee, US Trustee